

Remarks

Reconsideration and allowance of the above referenced application are respectfully requested.

These amended claims are provided to comply with the "machine or transformation" test set forth by *In re Bilski*. Claim 17 has been amended into a Beauregard form approved by the Board of Appeals in ex Bo Li, appeal 2008-1213. (BPAI 2008)

The current changes also address issues raised in the Examiner's answer.

Many reasons why the currently claimed subject matter is patentable have been extensively discussed throughout the prosecution, and these claims have been even further amended to emphasize the unexpected results of the present system.

In addition, new dependent claims are added which define additional subject matter. This new subject matter is further patentable over the cited prior art.

As explained herein, the present system produces wholly unexpected results – and hence are not predictable in the *KSR* sense.

The prior art cited in the case has shown a delete function which indicates that the information is spam.

The present application recognizes the inventors understanding, however, that you can learn from both spam messages and from non-spam messages. An email program as in the cited prior art might indicate you that you indicate a message as spam, and delete it. Programs such as that in Pang teaches a system where a message can be deleted as being spam. However, there is no way to delete the message while indicating that it is not spam. Pang may learn information from that

indication about deleted-as-spam messages. However, they learn nothing from the non-spam. This is because conventionally, when people do not delete a message, it does not necessarily mean anything.

Moreover, the inventor recognized that you don't want to force people to decide, for each and every message, whether it is spam or is not spam.

Accordingly, the present system such as claim 1 allows three different controls. A first control allows you to delete something as spam. Another control allows you to delete something is not spam. Claims 2 and 3 describe that you can change the databases based on those two deletions. However, you can also delete without indicating whether it does, or does not, represent spam.

The present application recognizes that you do not want to harass all of the users to always indicate whether something is spam or not. However, and even though you don't necessarily harass all the users, you still want to get information sometimes, about whether something is or is not spam. Consider the advantage of this, something that was not recognized by the prior art.

Say you have 10 messages in front of you, you have read them all, or read all of them that you want to read, but some of them are spam, some are not. Either way, you're done with all of them. You want to delete the entire list. According to claim 1, you could delete them all without indicating whether or not they are spam. If you deleted them all as being spam, and that information was used to change a database, you could put incorrect information into the spam database. Similarly, if you deleted them all as not being spam, you could put information incorrect information into the spam database.

This system allows a user to delete them all, without putting incorrect information

in the spam database, but also you do not inconvenience the user. If the user wants, they can still select the "delete as not spam" or "delete as spam" controls. The user therefore has three different choices, which they can use at different times and in different ways. This is not disclosed or otherwise made obvious by the cited prior art.

Claim 21 has been amended to recite the domain used as a spam indication, as described in the middle of page 7 and the top of page 8 of the specification. This is not described or otherwise made obvious by the cited prior art.

Please charge any unpaid fees to deposit account 50-1387.

Respectfully submitted,

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